EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2008-0346-PWS-E **TCEQ ID:** RN101216133 **CASE NO.:** 35459

RESPONDENT NAME: Ranger Utility Company

ORDER TYPE:						
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING				
FINDINGS DEFAULT ORDER	SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER				
AMENDED ORDER	EMERGENCY ORDER					
CASE TYPE:						
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE				
X PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION				
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL				
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION				
SITE WHERE VIOLATION(S) OCCURR Waller County TYPE OF OPERATION: Public water sup	ED: Lakeside Estates Subdivision, located at the in	tersection of River Run and Lakeside Drive,				
SMALL BUSINESS: X Yes	No					
OTHER SIGNIFICANT MATTERS: Ther facility location.	e are no complaints. There is no record of additiona	al pending enforcement actions regarding this				
INTERESTED PARTIES: No one other that	an the ED and the Respondent has expressed an inter	rest in this matter.				
COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on July 7, 2008. No comments were received.						
4033; Mr. Bryan Sinclair, Enforcen Respondent: Mr. Albert M. McCai 77484	r: None : Mr. Epifanio Villarreal, Enforcement Division, Ennent Division, MC 219, (512) 239-2171 g, Jr., Registered Agent, Ranger Utility Company, 3 Ranger Utility Company, 3601 South Kings Highw	601 South Kings Highway, Texarkana, Texas				

Respondent's Attorney: Not represented by counsel on this enforcement matter

RESPONDENT NAME: Ranger Utility Company **DOCKET NO.:** 2008-0346-PWS-E

VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS VIOLATION INFORMATION PENALTY CONSIDERATIONS TAKEN/REQUIRED TO STANDARD OF THE PROPERTY OF STRUCTURE PROPERTY OF STREET Total Assessed: \$2,030 **Corrective Actions Taken:** Type of Investigation: Complaint The Executive Director recognizes that the Total Deferred: \$406 X Routine ___ Enforcement Follow-up Respondent has implemented the X Expedited Settlement following corrective measures at the Records Review Facility: __Financial Inability to Pay Date(s) of Complaints Relating to this a. On March 11, 2008, the Respondent SEP Conditional Offset: \$0 Case: None submitted a plugging report for the abandoned well; and Date of Investigation Relating to this Total Paid to General Revenue: \$1,624 Case: January 15, 2008 b. On February 15, 2008, the Respondent **Site Compliance History Classification** performed the interior and exterior annual Date of NOV/NOE Relating to this Case: ___ High ___ Average ___ Poor pressure tank inspection. Feburary 21, 2008 (NOE) **Person Compliance History Classification Ordering Provisions:** Background Facts: This was a routine High Average Poor investigation. The Order will require the Respondent to: Major Source: ___ Yes _X No WATER Applicable Penalty Policy: September 2002 a. Within 180 days after the effective date 1) Failure to conduct an annual inspection of this Agreed Order: of the water system's pressure tank [30 Tex. Admin. Code § 290.46(m)(1)(B)]. i. Provide a total storage capacity of 200 gallons per connection; and 2) Failure to plug and seal an abandoned public water supply well in accordance ii. Provide two or more pumps having a with 16 Tex. ADMIN. CODE ch. 76 or return total capacity of 2.0 gpm per connection. the well to a non-deteriorated condition [30 Tex. Admin.Code § 290.46(u)]. b. Within 195 days after the effective date of this Agreed Order, submit written 3) Failure to provide a total storage certification and include detailed capacity of 200 gallons per connection [30 supporting documentation including Tex. Admin. Code § 290.45(b)(1)(C)(ii) photographs, receipts, and/or other records and Tex. Health & Safety Code § to demonstrate compliance with Ordering 341.0315(c)]. Provision a. 4) Failure to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection [30 Tex. Admin. Code § 290.45(b)(1)(C)(iii) and Tex. Health & SAFETY CODE § 341.0315(c)].

Additional ID No(s).: PWS2370008

Policy Revision 2 (Septen	Penalty Calculation	Worksheet (Po	CW) PCW Revision Jan	uary 29, 2008
Policy Revision 2 (Septen	nber 2002)			
	25-Feb-2008 Screening 27-Feb-2008	EPA Due	2000 CO	
RESPONDENT/FACILITY IN	NFORMATION		ang at the grade and any patient as	
Respondent R	anger Utility Company			
Reg. Ent. Ref. No. R Facility/Site Region 1	N101216133 2-Houston	Major/Minor Source	Minor	
CASE INFORMATION				
Enf./Case ID No. 3	5459	No. of Violations		_
Docket No. 2 Media Program(s)	008-0346-PWS-E	Order Type Enf. Coordinator		1
Media Program(s) F Multi-Media	ublic Water Supply	EC's Team	Enforcement Team 2	
Admin. Penalty \$ Li	mit Minimum \$50 Maximum	\$1,000		
	Penalty Calculat	tion Section		000000000000000000000000000000000000000
TOTAL BASE PENALT	Y (Sum of violation base penalties		Subtotal 1	\$1,750
ADJUSTMENTS (+/-) T	O SUBTOTAL 1			100000
Subtotals 2-7 are obtaine	d by multiplying the Total Base Penalty (Subtotal 1) by t			¢47E
Compliance Histor			otals 2, 3, & 7	\$175
en de la companya de La companya de la companya de	The penalty enhancement is due to two p	rior Notices of Violation		
Notes	containing violations that are the same as or the current enforcement			
Alaji	the current emolcement	action.		
Culpability [No 0%	Enhancement	Subtotal 4	\$0
Notes	The Respondent does not meet the	culpability criteria.		
Good Faith Effort	to Comply 0%	Reduction	Subtotal 5	\$0
	Before NOV NOV to EDPRP/Settlement Offer		•	
Extraordinary				
Ordinary N/A	X (mark with x)			
Notes	The Respondent does not meet the	good faith criteria.		
L. Carrier			J	
		Enhancement* at the Total EB \$ Amount	Subtotal 6	\$0
SUM OF SUBTOTALS	1-7		Final Subtotal	\$1,925
	JUSTICE MAY REQUIRE [5%	Adjustment	\$105
Reduces or enhances the Final Su				
Notes	Enhancement recommended for recove	ery of avoided costs of		
	compliance.		1	¢2.020
		Final Pe	enalty Amount	\$2,030
STATUTORY LIMIT A	DJUSTMENT	Final Ass	essed Penalty	\$2,030
DEFERRAL		20% Reduction	Adjustment	-\$406
Reduces the Final Assessed Pena	lty by the indicted percentage. (Enter number only; e.g	. 20 for 20% reduction.)	7	
Notes	Deferral offered for expedited	d settlement.		
				\$1,624
PAYABLE PENALTY	그렇게 마시아 있다고 사용을 살아서 바다가 보다 하나야?			7 -,

Screening Date 27-Feb-2008

Docket No. 2008-0346-PWS-E

PCW

Policy Revision 2 (September 2002) PCW Revision January 29, 2008

Adjust.

Enter Number Here

Respondent Ranger Utility Company

(number of NOVs meeting criteria)

Case ID No. 35459

Reg. Ent. Reference No. RN101216133

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

Component Number of...

NOVs

Compliance History Worksheet
>> Compliance History Site Enhancement (Subtotal 2)

Written NOVs with same or similar violations as those in the current enforcement action

	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	4 Å MMO 10 , 1	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	6	0%
and Consen Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	Q	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	O model felige (fig	0%
	Pleas	se Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
nt Violator /S	Adjustment Pe	ercentage (Su	
P		rcontano (Su	intotal 2)
N/	Adjustment Pe		btotal 3)
N/	Adjustment Person Classification (Subtotal 7)		:. ·
N/ Diance Histor	A Adjustment Person Classification (Subtotal 7) Adjustment Person Adjustment Person Classification (Subtotal 7)		:. ·
N/ Diance Histor	A Adjustment Person Classification (Subtotal 7) A Adjustment Person Summary	ercentage (Su	:. ·

Screening D	ate 27-Feb-2008	Do	ocket No. 2008-0346-PWS-E	PCW
	lent Ranger Utility Com	pany		Policy Revision 2 (September 200)
	No. 35459			PCW Revision January 29, 200
Reg. Ent. Reference	No. RN101216133			
Media [State	ute] Public Water Supp	ly		
	ator Epifanio Villarreal	1		
Violation Nun	nber 1			
Rule Ci	te(s)	30 Tex. Admin. Co	ode § 290.46(m)(1)(B)	
				· · · · · · · · · · · · · · · · · · ·
Violation Descrip	tion Failed to cor	duct an annual inspection	on of the water system's pressure	e tank.
	L		В	ase Penalty \$1,00
				Red
>> Environmental, Prope			AND STATE OF THE S	
Pol		larm derate Minor		
	ctual	derate Minor		
WASHINGAN PENEDARI	ential x		Percent 25%	6
			<u> </u>	
>>Programmatic Matrix				
Falsifica	ntion Major Mo	derate Minor	The state of the s	
			Percent 0%	<u>6</u>
77 - 1-26 - 1-4 -				
warnx defec	t that causes loss of tan	k integrity, and custome	e tank could result in non-detecti rs of the water supply could be ex d levels that are protective of hun	xposed to
			Adjustment	\$750
			Adjustinent	ψ <i>1</i> 30
				\$25
a time and your move of your occupation of the second and a second and the second			STREET,	
Violation Events	ar general (1911) Notes and a second	promobilitale FOLIA All Bullions De Mass	e in the Administration of the Common	(1) 10 10 10 10 10 10 10 10 10 10 10 10 10
			Number of violation	dovo
Number	of Violation Events		Number of violation of	uays
	daily			
	monthly			
mark only			Violation B	ase Penalty \$25
with ar				
	annual	X		
	single event			
		One annual event is rec	commended	
		One annual event is let	Jornatia da la companya da la compan	
Economic Benefit (EB) fo	or this violation		Statutory Limit	
Estir	nated EB Amount	\$105	Violation Final P	enalty Total \$29
,	manuscono consulta de la consulta de	TI.	No. 1 A A D 16 - / All 4 -	ed for limits) \$29
Sanatan Canada Sanatan		inis violation F	inal Assessed Penalty (adjuste	iu iui iiiiiis)į

	la la E	conomic I	Benefit W	orks	heet	Contract of the	pro
Respondent	Ranger Utility C	Company	ik intrinsis ranje "kunda "ik ilin iko		contra a sakatika u Har Sir E	Land Control of Mary 1	
Case ID No.		,					
Reg. Ent. Reference No.							
	Public Water S	upply				Percent Interest	Years of Depreciation
	Jakan Salaka Kabupatan Jakan		1.1952454456		unikanan uu	5.0	1:
	Item Cost	Date Required	Final Date '	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description		a sa transita de de India.	ni sir jetti i ir sais deviratio	optop de e	ia diginaten eta baria)	hat a har har har har har har har har har h	
Delayed Costs	kije bluktledijeh						
Equipment				0.0	\$0	\$0 ,	\$0
Buildings				0,0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	1	retation, or establish		0.0	\$ 0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal			tion and the state of the state of	0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	is in su n/a	\$0
Notes for DELAYED costs Avoided Costs	ANN	IUALIZE [1] avoide	d costs before e		item (except for	one-time avoided c	
Disposal	7579 3390			0.0	\$0	\$0	\$0
Personnel	4 - 2			0,0	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$100	15-Jan-2007	15-Jan-2008	1.0	\$5	\$100	\$105
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]			a ta tan ta	0,0	\$0	\$0 \$0	\$0
ON 100 100 100 100 100 100 100 100 100 10			The Control of the Co	1 ().()	\$0	1 50. 1	
ONE-TIME avoided costs [3]					00		\$0 #0
ONE-TIME avoided costs [3] Other (as needed)				0,0	\$0	\$0	\$0 \$0
	The avoided co	ost includes the am		0.0 e anhua			\$0

Screening Date	⊋ 27-Feb-2008	Docket No. 2008-03-	46-PWS-E	PCW
Responden	t Ranger Utility Company		Policy Rev	rision 2 (September 2002)
Case ID No	35459		PCW F	Revision January 29, 2008
Reg. Ent. Reference No	, RN101216133			
Media [Statute	Public Water Supply			
Enf. Coordinato	r_Epifanio Villarreal			•
Violation Numbe	r 2			
Rule Cite(s)	30 Tex. Admin.Code § 290.46(u)		
Violation Descriptio	Tex. Admin. Code ch. 76	an abandoned public water supply well 6 or return the well to a non-deteriorated igation, it was documented that Well No and needs to be plugged.	d condition. Specifically,	
			Base Penalty	\$1,000
>> Environmental, Property	and Human Health M	atrix		
	Harm			
Releas OR Actua		Minor		-
Potentia		Percent	25%	***************************************
			2070	
>>Programmatic Matrix				TRUMPATER
Falsification	n Major Moderate	Minor		
		Percent	0%	1
	iter to be contaminated with	perly cemented and protected could cau n a significant amount of pollutants whic rotective of human health.		
		Adjustme	nt \$750	
i destribulità i destribut dell'estra dell'e				
				\$250
			MARKET BEAUTY OF SEASONS SERVICES OF TOTAL	
Violation Events	No Guestate de Se	如"是是我的我的人的是是否是一个人的。" 第二章	HZPRENINE STATE OF THE STREET	
Number of V	iolation Events 2	43 Number	of violation days	
Number of V	iolation Events 2		or violation days	
	daily			in Academies and a second and a
	monthly x			
mark only one	quarterly		Violation Base Penalty	\$500
with an x	semiannual			A PARA PARA PARA PARA PARA PARA PARA PA
	annual			TA PATA TO BOOK TO THE TATA TO
	single event			TO A COLUMN TO A C
Two monthly		from the date of the investigation Janu creening, February 27, 2008.	ary 15, 2008, to the date	
Economic Benefit (EB) for t	his violation	Statuto	ory Limit Test	
Fetimat	ed EB Amount	\$107 Viola	tion Final Penalty Total	\$580
- Communication				
		This violation Final Assessed Pena	alty (adjusted for limits)	\$580

	egw javin E	conomic l	Benefit W	orks	sheet		
Respondent	Ranger Utility (Company		*******			
Case ID No.	35459					:	
Reg. Ent. Reference No.	RN101216133						
Media (Media	Public Water S	upply				Percent Interest	Years of
Violation No.	2					i Ciocin intoicst	Depreciation
					Pasale/pasik	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	And Philips Constitution		1 10 684.9		differentials as first	Chemic Costs	LD Amount
Item Description	No commas or \$	population of	Walter Kada Kala				
			Cuerricon in appropriate in a				
Delayed Costs		Internal or National State	o Principal State of the Late of the Late	0.0	\$0	\$0	\$0
Equipment	203			0.0	\$0 \$0	\$0 \$0	\$0 \$0
Buildings Other (as needed)	\$10,000	15-Jan-2008 .	.11-Mar-2008	0,0	\$5	\$102	\$107
Engineering/construction	Ψ10,000		-	0.0	\$0	\$0	\$0
Land		to the second of	Holyton at the Phalography and the	0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling			Harbart Children British of Arec	0.0	\$0	n/a	· \$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs			L	0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs		calculated fr	om the date of the	investi	gation to the date (j jihados	
Avoided Costs	ANN	IUALIZE [1] avoide	ed costs before e	7		one-time avoided o	
Disposal			finished and declaration	0.0	\$0	\$0	\$0
Personnel				0,0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0 \$0	\$0
Supplies/equipment			Estivator a discondition (c) pr	0.0	\$0		\$0
Financial Assurance [2]			والمرابع المرابع المرابع	0,0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0,0	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)	to a section of the s		<u> </u>	<u> U.U</u>	I DO	<u>.</u> • • • • • • • • • • • • • • • • • • •	⊅ U
	1.00	Zabrob sterios	army Avison, A	Argarity	er a en koarzal	in a second second	of de
Notes for AVOIDED costs		in in its in the	size and distribute	5			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
			<u></u>	* . * . * ***			
Approx. Cost of Compliance		\$10,000			TOTAL		\$107

Screening Da	te 27-Feb-2008	Docket No	o. 2008-0346-PWS-E	PCW
	nt Ranger Utility Company	, . ,	Policy	Revision 2 (September 2002)
Case ID N	o. 35459		PC	CW Revision January 29, 2008
Reg. Ent. Reference N	o . RN101216133			
	e] Public Water Supply			
. · ·	or Epifanio Villarreal			
Violation Numb	r			
Rule Cite	(s) 30 Tex Admin Code 8	200 45(h)(1)(C)(ii) and Tex. H	lealth & Safety Code § 341.0315(c)
Violation Descripti	Failed to provide a totathe time of the investigate capacity provided. E	al storage capacity of 200 galle	ons per connection. Specifically, a ented that there was no total storage tions, the system is required to	nt
			Base Penal	ty \$1,000
>> Environmental, Propert	y and Human Health I	Vlatrix	and a company of the said of the company of the com	
en e	Harm			
Relea		te Minor		
OR Acti	<u></u>		Percent 25%	
Poten	tial <u> x </u>		2576	
>>Programmatic Matrix			864 41 6 1	
Falsification	on Major Modera	te Minor	Section 2	
			Percent 0%	
Matrix may comp	romise the system's ability	stomers of the water system of to provide a safe and adequal ataminants that exceed levels	could experience water outages at the water supply exposing custome protective of human health. Adjustment \$75	rs
			Adjustment	201
				\$250
	THE RESERVE THE PARTY OF THE PA		rente une ca vir a previntazioni kon y osprente a svilateki. Svilatili 142 SVII SVII 1880 SVII SVII SVII SVII S	11875
Violation Events				
			Number of violeties days	
Number of	Violation Events 2	43	Number of violation days	1
	daily			,
	monthly x			ST THE STATE OF TH
mark only o	anabenating a system	manage on the first	Violation Base Penal	ty \$500
with an x	semiannual			
	annual			
	single event			
1				
Two month		ed from the date of the investig screening, February 27, 2008	gation January 15, 2008, to the da 3.	ite
Economic Benefit (EB) for	this violation		Statutory Limit Test	
Estima	ated EB Amount	\$394	Violation Final Penalty Tot	al \$580
		This violation Final Asse	essed Penalty (adjusted for limit	(s) \$580

		conomic.l	Benefit W	orks	sheet	Wallaniste	(c 4 8
Respondent	: Ranger Utility C					milionari eta elabar Tirak	
Case ID No.	35459						
Reg. Ent. Reference No.	RN101216133						
Media	Public Water Si	upply		•		Percent Interest	Years of
Violation No.	. 3					rercent interest	Depreciatio
	Hemistor o				That sally bridge	5.0	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amoun
Item Description		Date Required				A TOTAL SERVICE AND A SERVICE AND A	ED AIIIOUII
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings		231.06151.174,274	Constant	0.0	\$0	\$0	\$0
Other (as needed)			e a a cur e l'Elsacabili	0.0	\$0	\$0	\$0
Engineering/construction	\$5,000	15-Jan-2008	1-Mar-2009	11.1.	\$19	\$375	\$394
['] Land				0,0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling		1-1		0,0	\$0	n/a	\$0
Remediation/Disposal			أحريب المشارك المتعادية	0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)			<u> </u>	0.0	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	llanan augus	from the dat	e of the investigat	ion to th	ne estimated date o	0 gallons per connect of compliance. one-time avoided c \$0 \$0	
Supplies/equipment		prima in the state of the state of the		0.0	\$0	\$0 \$0	\$0
Financial Assurance [2]	15.35	Total State Control of the Control o		0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs	process threat above the second appropria (Alternation of the second	a dan perduap ega errei La la cilia perdua de la cilia caretra cilia del la cilia caretra cilia del la cilia			in magasa diyarak di kali Sanah di sanah jar sadi ka Sanah di sanah Karanga Sanah di sanah		- 1 लांगी - 1984
Approx. Cost of Compliance	The second secon		the desired and the state of th	throat day midden		and the second second	

Screening Date	27-Feb-2008	Docket No	o. 2008-0346-PWS-E	PCW
•	Ranger Utility Company		Policy R	evision 2 (September 2002)
Case ID No.			PCW	Revision January 29, 2008
Reg. Ent. Reference No.				
	Public Water Supply			
Enf. Coordinator Violation Number				
ruic one(o)	30 Tex. Admin. Code § 29	0.45(b)(1)(C)(iii) and Tex.	Health & Safety Code § 341.0315(c)	THE PROPERTY OF THE PROPERTY O
Violation Description	Failed to provide two or r minute ("gpm") per con documented that the wa pump capacity of 158 gpr			
			Base Penalty	\$1,000
>> Environmental, Property a	nd Human Health Ma	trix		
Polono	Harm Major Mederate	Minor		
OR Release	Major Moderate	1		
Potential	l x		Percent 25%	
L.				
>>Programmatic Matrix		AND STREET OF THE PROPERTY.		
Falsification	Major Moderate	Minor	Percent 0%	
Provide (continue and)	<u> </u>		Percent 0%	
Without su	ifficient service pump capa	city, customers of the wate	r system could experience water	
(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)			safe and adequate water supply exceed levels protective of human	
Notes exposing cu	stomers to a significant am	health.	exceed levels protective of numari	
	A CONTRACT OF THE PROPERTY OF THE TANK OF	THE PROPERTY OF THE PROPERTY O		
	UNITED THE STATE OF THE STATE O	CALIFORNIA DI LIBERRA	Adjustment \$750	
				\$250
・ はイーマ ロー・ニング ウマルフ・バーを変数がないが、 ・ ターカー、 新田・海 新中でもはいせい 原乳が作品を作用を開発しておける。 1975年	ratio digital da de estas en estas en estas en estas en en estas en estas en estas en estas en estas en estas e	·		
Violation Events	a iconamo en monero con a ERIAGE	the CPL of the second second second		
Number of Vio	olation Events 2] 43	Number of violation days	
1,411,20		<u> </u>	,	
	daily]		
	monthly x			6500
mark only one with an x	quarterly	1	Violation Base Penalty	\$500
With an A	semiannual			
	single event	1		
		<u></u>		The state of the s
Two monthly s	events are recommended f	rom the date of the investi	gation January 15, 2008, to the date	TALANCE CONTRACT
		eening, February 27, 2008		
Economic Benefit (EB) for thi			Statutory Limit Test	Rengeral Commission and
Estimated	I EB Amount	\$158	Violation Final Penalty Total	\$580
		This violation Final Asse	essed Penalty (adjusted for limits)	\$580
	10.000		nie is saudoninia i krasai () sa jamanai kan krist	

	a ayya a a E	conomic	Benefit W	orks	sheet	kidhilki u.c.	
Respondent	Ranger Utility 0		essa, selection of the en-				
Case ID No	35459						
Reg. Ent. Reference No	RN101216133						
	Public Water S	vlagu				Б	Years of
Violation No						Percent Interest	Depreciation
Violation No	• •			4 - 1044	Disagnosty care ti	5.0	1
		A Section Control		1 1			************************
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	1 No commas or \$	allos Fixed ban	a ferrore recoveries		AT SHOWN YOUR	, of Political	
Delayed Costs	,				Ağınındanıy iliyesi geççini yazılının		
Equipment	1 3 1 1 1 1 1	Tar Tests to CE		0.0	\$0	\$0	\$0
Buildings	4000		111 0000	0.0	\$0	\$0	\$0
Other (as needed)	\$2,000	15-Jan-2008	1-Mar-2009	1.1	\$8	\$150	\$158
Engineering/construction	· DOMESTIC SE	<u> </u>	للخروس أتوفرتك المساور الكورة	0.0	\$0	\$0	\$0 \$0
Land	e colosides e e	عنالتها فأنسب ويسمعها	the second second	0,0	\$0 \$0	n/a n/a	\$0 \$0
Record Keeping System	Place Superior Superior Control Control	I was a second		0.0		n/a n/a	\$0 \$0
Training/Sampling					\$0		\$0 \$0
Remediation/Disposal			internation and in the control of th	0,0	\$0 \$0	n/a	\$0 \$0
Permit Costs				0.0	\$0 \$0	n/a n/a	\$0 \$0
Other (as needed)		Herri	The Management of the Assessment		THE PARTY OF THE PROPERTY OF THE PARTY OF TH		- 40 - 11 - 12 12 12
Notes for DELAYED costs		from the da	te of the investiga	tion to th	ne estimated date o	Thata	
Avoided Costs	S ANN	NUALIZE [1] avoid	ed costs before e	entering		one-time avoided o	
Disposal		P D I I	tuliätidtäättiviäteti.	0.0	\$0	\$0	\$0
Personnel				0,0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0,0	\$0	\$0	\$0
Supplies/equipment			alan di Salah da Salah	0.0	\$0	\$0	\$0
Financial Assurance [2]	25,000			0,0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)	al significant and satisficants.	<u> </u>		0.0	\$0	\$0	\$0
Notes for AVOIDED costs	# 11. H. F. F. F. F. F. 1 St. F. P. F. F. F. 1	igo i por 1000 metros. Per grand Para I seuso. Per			เทียงสามารถกรรม แล้ว กลังสุด (ขาย ผู้สามารถและ เกลา		ulk f Justia
Annuar Cost of Com-lines	2 5 d	\$2,000	liithean la coine i de coin	yanananiieu	TOTAL		\$15
Approx. Cost of Compliance		φ∠,000	l		TOTAL	L	φι

Compliance History

Customer/Respondent/Owner-Operator:

CN600698153

Ranger Utility Company

Classification:

Rating:

2370008

2370008

Regulated Entity:

RN101216133

LAKESIDE ESTATES SUBDIVISION

Classification:

Site Rating:

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY

REGISTRATION

WATER LICENSING

LICENSE

Location:

INTERSECTION OF RIVER RUN & LAKESIDE DR, WALLER

COUNTY, TX

TCEQ Region:

REGION 12 - HOUSTON

Date Compliance History Prepared:

February 27, 2008

Agency Decision Requiring Compliance History:

Enforcement

Compliance Period:

February 27, 2003 to February 27, 2008

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:

Epi Villarreal

Phone:

(210) 403-4033

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?

2. Has there been a (known) change in ownership of the site during the compliance period?

No

3. If Yes, who is the current owner?

N/A

4. if Yes, who was/were the prior owner(s)?

N/A

5. When did the change(s) in ownership occur?

N/A

Components (Multimedia) for the Site:

Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Any criminal convictions of the state of Texas and the federal government. В

Chronic excessive emissions events.

N/A

- The approval dates of investigations. (CCEDS Inv. Track. No.) D.
 - 1 07/10/2003

(130724)

2 06/15/2005

(394537)

3 02/22/2008

(611289)

Written notices of violations (NOV). (CCEDS Inv. Track. No.) E.

Date: 07/10/2003

(130724)

Self Report?

Classification:

Citation: Description:

30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B) Failure to inspect the interior and exterior of the pressure tank.

Classification:

Self Report? NO

30 TAC Chapter 290, SubChapter D 290.46(m)

Citation: Description:

Failure to maintain the regulated entity by not tightening the barbed wire on the fence

at the well site.

Self Report?

Classification:

Moderate

Moderate

Minor

NO

30 TAC Chapter 290, SubChapter F 290.110(c)(5)(A)

Description:

Citation:

Failure to perform and record on a weekly basis free chlorine residual.

Self Report?

Classification:

Citation:

30 TAC Chapter 290, SubChapter D 290.46(u)

Description:

Failure to test wells that are not in use and are non-deteriorated every five years or as

required by the executive director to prove that they are in a non-deteriorated

condition.

Self Report? NO Classification; Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)

Description: Failure to provide records of the volume of water treated and pumped each week.

Date 06/09/2005 (394537)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)

Description: Failure to inspect the interior and exterior of the pressure tank.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to maintain the regulated entity by not tightening the barbed wire on the fence

at the well site.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(5)(A)

Description: Failure to perform and record on a weekly basis free chlorine residual.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290,46(u)

Citation: 30 TAC Chapter 290, SubChapter D 290.46(u)

Description: Failure to test wells that are not in use and are non-deteriorated every five years or as

required by the executive director to prove that they are in a non-deteriorated

condition.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)
30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(ii)(III)

Description: Failure to provide records of the volume of water treated and pumped each week.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(4)

Description: Failure to repair or replace the leaking discharge line located at the well line must be

repaired or replaced as necessary.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(C)(ii)

Description: Failure to provide a total storage capacity of 200 gallons per connection.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(C)(iii)

Description: Failure to provide a service pump capacity of 2.0 gallons per minute per connection.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to maintain the entity by not repairing or replacing the inoperable site glass on

the pressure tank.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/F

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
RANGER UTILITY COMPANY	§	
RN101216133	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2008-0346-PWS-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Ranger Utility Company ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

- 1. The Respondent owns and operates a public water supply located at the intersection of River Run and Lakeside Drive, Waller County, Texas (the "Facility") that has approximately 79 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 3. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about February 26, 2008.
- 4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 5. An administrative penalty in the amount of Two Thousand Thirty Dollars (\$2,030) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Thousand Six Hundred Twenty-Four Dollars (\$1,624) of the administrative penalty and Four Hundred Six Dollars (\$406) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the

Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

- 6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 7. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 8. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
 - a. On March 11, 2008, the Respondent submitted a plugging report for the abandoned well; and
 - b. On February 15, 2008, the Respondent performed the interior and exterior annual pressure tank inspection.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

- 1. Failed to conduct an annual inspection of the water system's pressure tank, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B), as documented during an investigation conducted on January 15, 2008.
- 2. Failed to plug and seal an abandoned public water supply well in accordance with 16 TEX. ADMIN. CODE ch. 76 or return the well to a non-deteriorated condition, in violation of 30 TEX. ADMIN. CODE § 290.46(u), as documented during an investigation conducted on January 15, 2008.
- 3. Failed to provide a total storage capacity of 200 gallons per connection, in violation of 30 Tex. ADMIN. CODE § 290.45(b)(1)(C)(ii) and Tex. Health & Safety Code § 341.0315(c), as documented during an investigation conducted on January 15, 2008.

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4. Failed to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during an investigation conducted on January 15, 2008.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Ranger Utility Company, Docket No. 2008-0346-PWS-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 180 days after the effective date of this Agreed Order:
 - i. Provide a total storage capacity of 200 gallons per connection, in accordance with 30 Tex. Admin. Code § 290.45; and
 - ii. Provide two or more pumps having a total capacity of 2.0 gpm per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45.
 - b. Within 195 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section Manager Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Avenue, Suite H Houston, Texas 77023-1486

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 7. Under 30 Tex. ADMIN. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Authorized Representative of Ranger Utility Company

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
John Gralin	7/21/2008
For the Executive Director	Date
attached Agreed Order on behalf of the entity ind	attached Agreed Order. I am authorized to agree to the icated below my signature, and I do agree to the terms owledge that the TCEQ, in accepting payment for the esentation.
_ · ·	rdering Provisions, if any, in this order and/or failure to
timely pay the penalty amount, may result in:A negative impact on compliance history;	
 Greater scrutiny of any permit applications 	submitted;
• Referral of this case to the Attorney Gene penalties, and/or attorney fees, or to a colle	eral's Office for contempt, injunctive relief, additional ection agency;
 Increased penalties in any future enforcement Automatic referral to the Attorney General 	ent actions; 's Office of any future enforcement actions; and
TCEQ seeking other relief as authorized by	y law.
In addition, any falsification of any compliance do	cuments may result in criminal prosecution.
Asson Cleppon	4-25.08
Signature	Date
Name (Printed or typed)	Vice President
Name (Printed or typed)	litle

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.